




Patent Docket P1053R1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Brian M. Fendly  Serial No.: 09/705,579  Filed: November 2, 2000  For: ANTI-ErbB2 ANTIBODIES	Group Art Unit: 1642 ✓  Examiner: Christopher Yaen  Confirmation No: 5667  CUSTOMER NO: 09157
	<b>RECEIVED</b> NOV 07 2003 TECH CENTER 1600/2900  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  November 3, 2003  Wendy M. Lee

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated June 3, 2003, of the Primary Examiner finally rejecting claims 42, 44, 55-56, 63, and 65-66.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$330 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. **A duplicate copy of this Notice is enclosed for this purpose.**

Respectfully submitted,

GENENTECH, INC.

Date: November 3, 2003

By: 

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